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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,633	07/01/2003	Eric Wisniewski	Q75615	4950

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EXAMINER

NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
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2687

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/609,633

Applicant(s)

WISNIEWSKI ET AL.

Examiner

Khai M. Nguyen

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is response to Amendment filed on 9/13/2005.
Claims 1-8 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niklasson (U.S.Pub-20030179772) in view of Hirsch (U.S.Pub-2003016537).

Regarding claim 1, Niklasson teaches method for providing service management to network elements of a cellular communication network (fig.1, paragraph 0022, element 1, *first communication network 1 is a mobile telephone network*), said network elements communicating center of said cellular communication network by sending data

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having a data exchange format (paragraph 0004-0005), said data exchange format being translated in an Operation and Maintenance Center specific data format at a mediation server (fig.1, element 510 server, paragraph 0004-0006, 0039), wherein said method comprises:

identifying at said mediation server a change in said used data exchange format from a first data exchange format to a second data exchange format;(fig.1, element 510 (server, paragraph 0010-0011, 0034, *converting the processed information in a format of a target communication network as well as switching and transmitting the information to the target communication network*),

dynamically switching from first data exchange format to said second identified data exchange format (fig.1, element 510 server, paragraph 0007, 0010-0011, 0034, *transmitting the converted information to a particular service processing unit and processing the information in a predetermine manner, converting the processed information in a format of a target communication network as well as switching and transmitting the information to the target communication network*)

Niklasson fails to specifically disclose the network elements communicating with an Operation and Maintenance Center of the communication network. However, Hirsch teaches a method for updating proprietary information at the nonproprietary OMC/NMC interface in a mobile radio network, and Hirsch also teaches the network elements communicating with an Operation and Maintenance Center of the communication network (fig.1, paragraph 0033, 0036). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to use the network elements communicating with an Operation and Maintenance Center of the communication network as taught by Hirsch with Niklasson teaching in order to provides for updating of in particular, proprietary information at the network management center NMC without using equipment-related object classes.

Regarding claim 2, Niklasson and Hirsch further teaches method according to claim 1, wherein it further comprises the steps of:

representing said data exchange format in an object oriented program (see Niklasson, fig.1, paragraph 0034-0035, see Hirsch, fig.4, paragraph 0059-0060), and

dynamically uploading the class using the Java programming language to switch from said first data exchange format to said second identified data exchange format (paragraph 0006, 0011, 0034, 0079, *transmitting the converted information to a particular service processing unit and processing the information in a predetermine manner, converting the processed information in a format of a target communication network as well as switching and transmitting the information to the target communication network*, see Hirsch, fig.4, paragraph 0059-0060).

Regarding claim 3, Niklasson and Hirsch further teaches the method according to claim 1, wherein the method further comprises:

selecting one out of a plurality of mediation servers for handling information from at least one of said network elements according to a predefined load balancing policy (see Niklasson, fig.1, paragraph 0034-0035, see Hirsch, paragraph 0033, 0036).

Regarding claim 4, Niklasson and Hirsch further teaches method according to claim 1, wherein said data exchanged between said at least one of said network element and said Operation and Maintenance Center contains a new software version download from the Operation and Maintenance Center to said at least one of said network element (see Niklasson, paragraph 0006-0008, see Hirsch, paragraph 0059-0060).

Regarding claim 5, Niklasson teaches a mediation server used for translating a first data exchange format used by a network element of a cellular communication network to a second data exchange format used by an center specific data format (fig.1, paragraph 0004-0006, 0022, element 1, *first communication network 1 is a mobile telephone network*); wherein said mediation server comprises:

means for identifying a change from said first data exchange format to said second data exchange format (fig.1, element 510 (server, paragraph 0010-0011, 0034, *converting the processed information in a format of a target communication network as well as switching and transmitting the information to the target communication network*);

means for dynamically switching from said first data exchange format to said second identified data exchange format (fig.1, element 510, paragraph 0007, 0010-0011, 0034, *transmitting the converted information to a particular service processing unit and processing the information in a predetermine manner, converting the processed information in a format of a target communication network as well as switching and transmitting the information to the target communication network*).

Niklasson fails to specifically disclose the network elements communicating with an Operation and Maintenance Center of the communication network. However, Hirsch teaches a method for updating proprietary information at the nonproprietary OMC/NMC interface in a mobile radio network, and Hirsch also teaches the network elements communicating with an Operation and Maintenance Center of the communication network (fig.1, paragraph 0033, 0036). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the network elements communicating with an Operation and Maintenance Center of the communication network as taught by Hirsch with Niklasson teaching in order to provide for updating of in particular, proprietary information at the network management center NMC without using equipment-related object classes.

Regarding claim 6, Niklasson teaches the mediation server according to claim 5, wherein said means for dynamically switching from said first data exchange format to said second identified data exchange format uses the Java programming language (see

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Niklasson, paragraph 0006, 0011, 0034, 0079, *transmitting the converted information to a particular service processing unit and processing the information in a predetermine manner, converting the processed information in a format of a target communication network as well as switching and transmitting the information to the target communication network*, see Hirsch, paragraph 0059-0060).

Regarding claim 7, Niklasson teaches the mediation server according to claim 5, wherein the mediation server is a software component part of said Operation and Maintenance Center (see Niklasson, fig.1, element 510, paragraph 0039-0041, 0079, see Hirsch, paragraph 0059-0060).

Regarding claim 8, Niklasson teaches the mediation server according to claim 5, wherein the mediation sever is a software component on a standalone device connectable to said Operation and Maintenance Center (see Niklasson, fig.1, abstract, paragraph 0022, 0034, see Hirsch, paragraph 0059-0060).

Citation of pertinent Prior Art

4. This prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sayko (U.S.Pat-6418210) discloses Method and apparatus for providing information between a calling network and a called network.

Placho et al. (U.S.Pat-6917818) discloses Method for controlling switching-oriented actions in a mobile radio telephone system and such a mobile radio telephone system.

Hitchings, Jr. (U.S.Pat-6594484) discloses Automated access by mobile device to automated telephone information services.

McIntosh et al. (U.S.Pat-6535732) discloses Cellular network having a concentrated base transceiver station and a plurality of remote transceivers.

Thomas et al. (U.S.Pub-20020103010) discloses Network management system and method of management control in a communication system.

Handel et al. (U.S.Pub-20030007624) discloses Central administration of a call center.

Ganesan et al. (U.S.Pat-6658250) discloses System and method for a wide area wireless personal communication system incorporating advanced messaging.

Kawano et al. (U.S.Pat-6564052) discloses Wireless local loop system and method for wireless link control.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SONNY TRINH
PRIMARY EXAMINER

Khai Nguyen
Au: 2687

11/3/2005